

## EXHIBIT Z

BUTLER | SNOW

April 2, 2013

**VIA E-MAIL**

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RE: *In re: Ethicon, Inc. Pelvic Repair System, Products Liability Litigation,*  
MDL No. 2327

Dear Bryan:

I appreciate your, Tom's and Renee's taking the time on short notice to talk this morning with Donna, Ben and me. As we discussed, during our collection of materials for the sales reps for the 30 bellwethers, we have become concerned that some documents may not have been preserved despite the fact that appropriate legal holds and separation procedures are and have been in place.

As we discussed with you last week, we are presently focusing on those sales reps who were responsible for the territory in which the implant took place at the time of the implant. This is approximately 30 reps. Approximately 16 of those reps whose documents we are presently collecting are former employees. Some of them left the company before legal holds were in place, so we will have no documents for them.

At this point, we are also having difficulty finding a meaningful volume of documents for many of the reps who left since implementation of the holds. To some degree this is not surprising. Given the role of the sales reps, we would not expect to find a large volume of documents. It is my understanding that most of them do not work in an office, they do not keep so-called "call notes" like pharmaceutical reps, and they generally do not communicate with surgeons in writing. Nevertheless, for a number of these sales reps, we are finding less than we would expect to find.

As we discussed, there have been detailed policies in place to retain documents, including numerous litigation holds. There have also been reminders about those holds. In fact, I understand that there is a very specific procedure pertaining to sales reps for retaining materials, which is a part of the company's overall retention efforts.

It appears, based on what we have found to date, despite the company's best efforts, many of the reps and their managers may not have understood the hold notices and policies and

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that their materials may not have been retained following their departure. As I made clear during our call today, we are bringing this to your attention now in an effort to be as transparent about this issue as possible, as soon as possible.

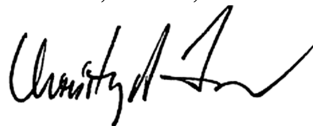
We are still in the process of conducting interviews and continuing our investigation, and it is possible we might locate materials for at least some of these former reps. For example, I understand that yesterday we may have found at least some materials for a couple of reps that the district manager held on to. As I assured you today, we are working hard to pin this down as quickly as possible. However, we do not expect to have a lot of materials to produce for these former reps on Monday, and we are not optimistic that our efforts will turn up a lot more as we continue our search efforts. We are continuing to take steps to address this going forward and continue to educate individuals about the legal hold.

As I mentioned, we would like to work with you to come up with a mutually agreeable way to address the situation. For example, I know there is a continuation of the ESI 30(b)(6) deposition later this month. We will work with the deponent to make sure he can provide testimony with respect to the procedures in place regarding retention so that you have a clearer understanding of that. In addition, we are in the process of collecting materials for any active reps we have identified who have been assigned to the implant and/or revision hospitals at issue so that you can have the benefit of those materials. We expect that those materials will be available to you in a few weeks.

Thank you for your professionalism in talking this through with us today. Please let me know if you have any questions.

Very truly yours,

BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC

A handwritten signature in black ink, appearing to read "Christy D. Jones", with a stylized flourish at the end.

Christy D. Jones

CDJ:fsw

cc: Tom P. Cartmell  
D. Renee Baggett

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